

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

ERICA CARDENAS,

Plaintiff,

v.

IMS FUND LLC,

Defendant.

No. 1:24-cv-04041-JGK

DECLARATION OF ERICA CARDENAS

Under penalties of perjury of the laws of the United States, I, Erica Cardenas, declare as follows based on my own personal knowledge:

1. I am the Plaintiff in this case against IMS Fund LLC.
2. I am the sole owner and exclusive user of the cell phone number ending in 5615 (the “Number”).
3. I have had this Number since approximately January of 2014.
4. I registered the Number on the National Do Not Call Registry on November 9, 2023.
5. I do not have a landline telephone number in my home, so I use the Number as one would use a landline number in a home.
6. I use the Number to communicate with friends and family, and also to schedule personal appointments and for other household needs.
7. The Number is registered under my husband’s personal, Verizon “Go unlimited” service plan, and I am identified on the plan as the “Manager” of the Number.

8. The Verizon plan that includes my Number is registered to my home address, not the address of a business.

9. I pay for service to the Number, and am not reimbursed by a business.

10. The Number is not owned or used by a business, and has not been at any time since I obtained it.

11. I have never had the Number associated with a business, used the Number any business or marketing materials, or listed the number publicly as a business contact number.

August 15, 2024



Erica Cardenas